



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
JANUARY 7 AND 8, 2014**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on January 7 and 8, 2014.

TUESDAY, JANUARY 7, 2014—9:00 A.M.

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| (1) | S205568 | Fahlen (Mark T.) v. Sutter Central Valley Hospitals et al. |
| (2) | S206928 | People v. Black (Charles) |
| (3) | S206084 | People v. Infante (Daniel) |

1:30 P.M.

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| (4) | S202483 | People v. Gray (Steven) |
| (5) | S059912 | People v. Montes (Joseph Manuel) [Automatic Appeal] |
| (6) | S122123 | People v. Rodriguez (Angelina) [Automatic Appeal] |

WEDNESDAY, JANUARY 8, 2014—10:00 A.M.

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| (7) | S115284 | People v. Trinh (Dung Dinh Anh) [Automatic Appeal]
<i>(To be called and continued to the February 2014 calendar.)</i> |
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CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

**SUPREME COURT OF CALIFORNIA
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JANUARY 7 AND 8, 2014**

The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, JANUARY 7, 2014—9:00 A.M.

(1) *Fahlen (Mark T.) v. Sutter Central Valley Hospitals et al., S205568*

#12-114 Fahlen (Mark T.) v. Sutter Central Valley Hospitals et al., S205568. (F063023; 208 Cal.App.4th 557; Superior Court of Stanislaus County; 662696.) Petition for review after the Court of Appeal affirmed in part and denied in part an order denying a special motion to strike in a civil action. This case presents the following issue: Must a physician obtain a judgment through mandamus review setting aside a hospital's decision to terminate the physician's privileges prior to pursuing a whistleblower retaliation action under Health and Safety Code section 1278.5?

(2) *People v. Black (Charles), S206928*

#13-14 People v. Black (Charles), S206928. (A131693; nonpublished opinion; Superior Court of Alameda County; C163496.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Should a conviction be reversed because of the erroneous denial of challenges for cause to prospective jurors when the defendant exhausts his peremptory challenges by removing the jurors, seeks to remove another prospective juror who could not be removed for cause, and is denied additional peremptory challenges, or must the defendant also show that an incompetent or biased juror sat on the jury?

(3) ***People v. Infante (Daniel), S206084***

#13-06 *People v. Infante (Daniel), S206084*. (G046177; 209 Cal.App.4th 987; Superior Court of Orange County; 10NF1137.) Petition for review after the Court of Appeal reversed an order granting a motion to set aside two counts in an information. The court limited review to the following issue: Did the Court of Appeal correctly determine that defendant committed independent felonious conduct that elevated his otherwise misdemeanor firearm possession to a felony and supported the charge of being an active participant in a criminal street gang in violation of Penal Code section 186.22, subdivision (a)?

1:30 P.M.

(4) ***People v. Gray (Steven), S202483***

#12-68 *People v. Gray (Steven), S202483*. (B236337; 204 Cal.App.4th 1041; Superior Court of Los Angeles County; BR048502, C165383.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents the following issue: Does Vehicle Code section 21455.5, subdivision (b), require a local jurisdiction to provide only one 30-day warning notice period prior to the initial installation of an automated traffic enforcement system, or is such notice required prior to the installation of ATES equipment at each additional intersection within the jurisdiction?

(5) ***People v. Montes (Joseph Manuel), S059912*** [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

(6) ***People v. Rodriguez (Angelina), S122123*** [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

WEDNESDAY, JANUARY 8, 2014—10:00 A.M.

(7) ***People v. Trinh (Dung Dinh Anh), S115284 (To be called and continued to the February 2014 calendar.)*** [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.